

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

LUNAREYE, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	Civil Action No. 9:07CV113
v.	§	
	§	
AIRIQ, INC., et al,	§	JUDGE RON CLARK
	§	
<i>Defendants</i>	§	

ORDER

Before the court is the parties' joint motion to temporarily suspend the October 12, 2009 deadlines for: (1) Plaintiff LunarEye to serve its updated infringement contentions and otherwise comply with P.R. 3-1 and 3.2, and (2) the parties to comply with P.R. 4-2 and notify the court if a claim construction hearing is required. The parties state that they are in the process of drafting a revised Scheduling Order consistent with the court's recent re-setting of this trial until September 2010, and should submit their proposal to the court by October 16, 2009. Until a revised Scheduling Order is issued by the court, the parties request that the October 12, 2009 deadlines be suspended. The court will grant the parties' motion in part, as described below.

IT IS THEREFORE ORDERED that the parties' Joint Motion to Suspend Deadlines [Doc. # 94] is GRANTED IN PART. The parties need not comply with the deadlines for: (1) Plaintiff LunarEye to serve its updated infringement contentions and otherwise comply with P.R. 3-1 and 3.2, and (2) the parties to comply with P.R. 4-2 and notify the court if a claim construction hearing is required, on October 12, 2009. However, the parties should submit their proposed Scheduling Order to the court on or before October 19, 2009. The court will issue a

revised Scheduling Order at that time, re-setting the October 12, 2009 P.R. 3-1, 3-2, and 4-2 deadlines. In the event the parties do not submit their proposal by October 19, 2009, the P.R. 3-1, 3-2, and 4-2 submissions will be due on October 20, 2009.

So **ORDERED** and **SIGNED** this **13** day of **October, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge